



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2012-0065]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated May 29, 2012, Peter J. Douglas, on behalf of Union Tank Car Company (UTLX), has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Part 231–Railroad Safety Appliance Standards; specifically, 49 CFR Section 231.21(f)(3) that addresses the location of side handholds. FRA assigned the petition Docket Number FRA-2012-0065.

UTLX requests relief for cars where the side horizontal handholds are currently in compliance, as they intend to remove and replace the four horizontal handholds with vertical handholds on each corner of each car. Twelve cars are in the process of being constructed that are affected by the requirements of 49 CFR § 231.21(f)(3). UTLX contends that the addition of the ergonomically designed vertical handhold at each corner of the car would also eliminate the horizontal handhold (“knee knocker”) when boarding the car, and thus eliminate a tripping hazard while egressing. UTLX believes that the installation of the vertical handhold provides a safer means for railroad employees equipped with a radio, remote-control belt pack, and lantern to board the end platform or ride while standing on the sill step, and maintain three-point contact.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue, S.E., W12-140, Washington, D.C. 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Web site: <http://www.regulations.gov/>. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, S.E., W12-140, Washington, D.C. 20590.
- Hand Delivery: 1200 New Jersey Avenue, S.E., Room W12-140, Washington, D.C. 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by [INSERT DATE 45 DAYS FROM PUBLICATION OF THIS NOTICE] will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78), or online at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on December 10, 2012.

Robert C. Lauby
Deputy Associate Administrator
for Regulatory and Legislative Operations

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